

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW HAMPSHIRE**

LOCAL, 8027 AFT-NEW HAMPSHIRE,  
AFL-CIO, et al.,

Plaintiffs,

V.

Case No. 1:21-cv-1077-PB

FRANK EDELBLUT, in his official capacity only as the Commissioner of the New Hampshire Department of Education, et al.,

Defendants.

## NOTICE OF APPEAL

Notice is hereby given that defendants Frank Edelblut, in his official capacity as Commissioner of the Department of Education; John M. Formella, in his official capacity as Attorney General of the State of New Hampshire; Ahni Malachi, in her official capacity as Executive Director of the New Hampshire Commission for Human Rights; Christian Kim, in his official capacity as Chair of the Commission for Human Rights; and Kenneth Merrifield, in his Official Capacity as Commissioner of the Department of Labor, hereby appeal to the United States Court of Appeals for the First Circuit from this Court’s June 24, 2024 Judgment awarding the plaintiffs “declaratory relief that N.H. Rev. Stat. Ann. §§ 354-A:31, 354-A:32, and 193:40 are unconstitutionally vague in violation of the Due Process Clause of the Fourteenth Amendment.”

[Signature Page to Follow]

Respectfully submitted,

FRANK EDELBLUT, in his official capacity  
as Commissioner of the Department of  
Education,

JOHN M. FORMELLA, in his  
official capacity only as Attorney General  
of the State of New Hampshire,

AHNI MALACHI, in her official capacity as  
Executive Director of the Commission for  
Human Rights,

CHRISTIAN KIM, in his official capacity as  
Chair of the Commission for Human Rights,

*and*

KENNETH MERRIFIELD, in his official  
capacity as Commissioner of the Department of  
Labor

By their attorney,

JOHN M. FORMELLA  
ATTORNEY GENERAL

Date: July 24, 2024

/s/ Samuel Garland  
Samuel R.V. Garland, Bar #266273  
Senior Assistant Attorney General  
Nathan Kenison-Marvin, Bar # 270162  
Assistant Attorney General  
Civil Bureau  
New Hampshire Dept. of Justice  
33 Capitol Street  
Concord, NH 03301  
(603) 271-3650  
[Samuel.RV.Garland@doj.nh.gov](mailto:Samuel.RV.Garland@doj.nh.gov)  
[Nathan.w.kenison-marvin@doj.nh.gov](mailto:Nathan.w.kenison-marvin@doj.nh.gov)

**Certificate of Service**

I hereby certify that a copy of the foregoing was served on all counsel of recording using the Court's electronic-filing service.

/s/ Samuel Garland

Samuel R.V. Garland